

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Application Number	09936367
Filing Date	2002-01-23
First Named Inventor	Michael Affolter
Art Unit	1656
Examiner Name	Chih Min Kam
Attorney Docket Number	112843-029

**U.S.PATENTS**

Examiner Initial*	Cite No	Patent Number	Kind Code <sup>1</sup>	Issue Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
	1	4308284		1981-12-29	Nada et al.	
	2	5141756		1992-08-25	Bajracharya et al.	
	3	5141757		1992-08-25	Ho Dac et al.	
	4	6020009		2000-02-01	Wood et al.	

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**U.S.PATENT APPLICATION PUBLICATIONS**

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**FOREIGN PATENT DOCUMENTS**

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	1	JP7115969	JP		1995-05-09	ASAHI CHEMICAL IND		<input type="checkbox"/>
	2	EP0417481	EP		1991-03-20	NESTLE SA (CH)		<input type="checkbox"/>
	3	EP0429760	EP		1991-06-05	NESTLE SA (CH)		<input type="checkbox"/>
	4	EP0818153	EP		1998-01-14	NESTLE SA (CH)		<input type="checkbox"/>
	5	EP0897003	EP		1999-02-17	SOCIETE DES PRODUITS NESTLE S.A.		<input type="checkbox"/>
	6	WO99/0291	WO		1999-01-21	SOCIETE DES PRODUITS NESTLE S.A.		<input type="checkbox"/>

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#### NON-PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>5</sup>
	1	Dowzer et al., "Analysis of the creA Gene, a Regulator of Carbon Catabolite Repression in Aspergillus nidulans," Molecular and Cellular Biology, Vol. 11, pp. 5701-5709, November 1991.	<input type="checkbox"/>
	2	Shroff et al., "Null Alleles of creA, the Regulator of Carbon Catabolite Repression in Aspergillus nidulans," Fungal Genetics and Biology, Vol. 22, pp. 28-38, 1997.	<input type="checkbox"/>
	3	Ruijter et al., "Carbon repression in Aspergilli," FEMS Microbiology Letters, Vol. 151, pp. 103-114, 1997.	<input type="checkbox"/>

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4	Ruijter et al., "Isolation of <i>Aspergillus niger</i> creA mutants and effects of the mutations on expression of arabinases and L-arabinose catabolic enzymes," Microbiology, Vol. 143, pp. 2991-2998, 1997.	<input type="checkbox"/>
5	Van Der Veen et al., "An extreme creA mutation in <i>Aspergillus nidulans</i> has severe effects on D-glucose utilization," retrieved from STN, XP002125189, abstract, Microbiology (Reading), Vol. 141, pp. 2301-2306, 1995.	<input type="checkbox"/>
6	Ven Den Hombergh et al., "Cloning characterization and expression of pepF, a gene encoding a serine carboxypeptidase from <i>Aspergillus niger</i> ," Gene., Vol. 151, pp. 73-79, 1994.	<input type="checkbox"/>
7	Jarai et al., "Nitrogen, carbon, and pH regulation of extracellular acidic proteases of <i>Aspergillus niger</i> ," retrieved from STN, XP002125190, abstract, Current Genetics, Vol. 26, pp. 238-44, 1994.	<input type="checkbox"/>
8	Database WPI, XP002125191, Asahi Kasei Koyo KK, May 9, 1995, abstract.	<input type="checkbox"/>
9	Doumas et al., "Characterization of the Prolyl Dipeptidyl Peptidase Gene (dpplV) from the Koji Mold <i>Aspergillus oryzae</i> ," Applied and Environmental Microbiology, Vol. 64, pp. 4809-4815, 1998.	<input type="checkbox"/>
10	Katz, et al., "Isolation and characterization of an <i>Aspergillus nidulans</i> gene encoding an alkaline protease," Gene., Vol. 150, pp. 287-292, 1994.	<input type="checkbox"/>
11	Arst, et al., "Nitrogen Metabolite Repression in <i>Aspergillus nidulans</i> ," Molec. gen. Genet., Vol. 126, pp. 111-141, 1973.	<input type="checkbox"/>
12	Drysdale et al., "The <i>Aspergillus niger</i> carbon catabolite repressor encoding gene, creA," Gene., Vol. 130, pp. 241-245, 1993.	<input type="checkbox"/>
13	Yanisch-Perron et al., "Improved M13 phage cloning vectors and host strains: nucleotide sequences of the M13mp18 and pUC19 vectors," Gene., Vol. 33, pp. 103-119, 1985.	<input type="checkbox"/>
14	Samson, ed. Bennett and Klich, "Current Taxonomic Schemes of the Genus <i>Aspergillus</i> and Its Teleomorphs," Biology and Industrial Applications, pp. 355-390, 1992.	<input type="checkbox"/>

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15	Maniatis, A Laboratory Manual, Chapter 4, Single-stranded, Filamentous Bacteriophage Vectors, Molecular Cloning, 1989, vol. 1.	<input type="checkbox"/>
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**EXAMINER SIGNATURE**

Examiner Signature		Date Considered	
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**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> See Kind Codes of USPTO Patent Documents at [www.USPTO.GOV](http://www.USPTO.GOV) or MPEP 901.04. <sup>2</sup> Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>3</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>4</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>5</sup> Applicant is to place a check mark here if English language translation is attached.

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**CERTIFICATION STATEMENT**

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

**OR**

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☒ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☐ None

**SIGNATURE**

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Robert M. Barrett/	Date (YYYY-MM-DD)	2006-12-19
Name/Print	Robert M. Barrett	Registration Number	30,142

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**